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COMMISSION ON THE STATUS OF WOMEN
Forty-second session
Open-ended Working Group on the
Elaboration of a Draft Optional
Protocol to the Convention on
the Elimination of All Forms of
Discrimination against Women
2-13 March 1998
Agenda item 5

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN, INCLUDING THE ELABORATION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION

Draft report of the Open-ended Working Group

Chairperson: Ms. Aloisia WÖRGETTER (Austria)

1. In accordance with Economic and Social Council resolution 1995/29 of 24 July 1995, the Open-ended Working Group on the Elaboration of a Draft Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women met as an in-session open-ended working group of the Commission at its fortieth session. By its decisions 1996/240 of 22 July 1996 and 1997/227 of 21 July 1997, the Council renewed the mandate of the Working Group so that it might continue its work, and authorized it to meet in parallel with the Commission at its forty-first and forty-second sessions.

2. Ms. Aloisia Wörgetter (Austria) continued to serve as Chairperson of the Working Group.

3. The Working Group met from 2 to ___ March 1998. It held ___ meetings (1st to ___) and a number of informal meetings. It had before it the following documents:

(a) Report of the Secretary-General on the annotated comparison of the draft optional protocol and the amendments proposed thereto with the provisions of existing international human rights instruments (E/CN.6/1998/7);

(b) Note by the Secretary-General on the results of the eighteenth session of the Committee on the Elimination of Discrimination against Women (E/CN.6/1998/CRP.1).

4. At the 1st meeting, on 2 March 1998, the Chairperson opened the meeting and made a statement.

5. At the same meeting, the Special Adviser to the Secretary-General on Gender Issues and Director of the Division for the Advancement of Women made an introductory statement.

6. Also at the same meeting, a statement was made by the Minister of the Department for Women's Affairs of Chile.

7. At the 3rd meeting, on 4 March 1998, statements were made by the State Secretary, Ministry of Foreign Affairs of Norway, and by the Federal Minister for Women's Affairs and Consumer Protection of Austria.

General exchange of views

8. At its 1st meeting, on 2 March 1998, the Working Group, at the invitation of the Chairperson, held a general exchange of views on item 5.

9. Delegations recalled that the conclusion of an optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women was a commitment of both the 1993 Vienna World Conference on Human Rights and the 1995 Fourth World Conference on Women. They noted that 1998 was the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights and marked five years since Governments had adopted the Vienna Declaration and Programme of Action. They pointed out that the adoption of an optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women would make 1998 the year of women's human rights, thereby giving real meaning to the anniversary.

10. Delegations stressed the importance of concluding a strong protocol that would take account of the difficulties that women faced in accessing legal remedies for violations of their human rights but at the same time would build on existing and widely accepted principles. The importance of concluding a strong, well-drafted text that could be widely accepted was emphasized.

11. Several delegations suggested that standing requirements should be broad, and it was also suggested that although the protocol should be based on other instruments, it should contribute to the progressive development of international law. Accordingly, it was suggested that specific provisions relating to interim measures and follow-up should be included in the text. A number of delegations stressed the usefulness of an investigations procedure.

12. Several delegations were of the view that it was vital not to allow reservations to the protocol.